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THE MOST PERFECT AND DELICIOUS. TRY A BOTTLE. ALL FIRST-CLASS GROCERS SELL IT.

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THE OLDEST WHISKY IN CAPTIVITY

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TODAY ONLY

HARRY CAREY
IN
THE THREE GODFATHERS
Bluebird Photoplay in Six Acts.
TOYLAND VILLAIN—Comedy

ONE THOUSAND, TWO HUNDRED AND EIGHTY PACKAGES OF PURITY ROLLED OATS JUST RECEIVED

Out of the first car for the fall season. This is the brand of rolled oats that made repeat orders last season and will again this season.

TWO PACKAGES . . . 25c
LARGE PACKAGES 30c
Also for sale at wholesale

WARD'S STORE

HOMER H. WARD, Mgr.,
345 Middle Ave. Phone 298-299

TRY US
For Quality and Service

Matteucci, Palladino & Co.
Groceries and Meats
Phone 15

Strong Brothers
Undertakers

PROMPT SERVICE. PHONE
75. STRONG BLDG. COPPER
AND SECOND.

Have you seen Billie?

FOR RENT—Five-room furnished home, steam heat. Ackerman Co., 108 South Third.

Dr. C. H. Conner
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Henry hauls baggage and other things. Phone 939.

"Gentry eggs" 60 cents. Sold by Jaffa, Maloy and Hawkins

B. M. WILLIAMS
Dentist
Rooms 1 and 3, Whiting Building
Corner Second and Gold
Phone No. 684

BEBBER, OPTICIAN
Citizens Bank Bldg.

WANTED
Experienced salesladies at the Economist.

WANTED
Boy 14 years or over, with wheel. Kistler-Colister & Co.

USED CARS

We are offering the following cars for sale, each one guaranteed to be represented.

One Oakland touring car, electric lights and gasoline tank like a whale. One Oldsmobile—passes them all on the road.

Two Fords—exceptional values. We have several other equally good ones.

BUTLER AUTO CO.
Fifth and Cooper

CHALMERS, **MAXWELLS**
Revolvers and Supplies

Butler House, 319½ South First street. Nice clean rooms; light housekeeping rooms. Phone 224.

SPRINGER
Expert Draymen

JURY FAILS TO AGREE IN DORRIS CASE; EXCUSED

Stands Eleven to One in Favor of City. Defendant in \$50,000 Suit Case in Jury's Hands 17 Hours.

The Dorris case resulted in a stand-off. Judge H. P. Haynes excluded the jurors when they failed to reach an agreement by 11 o'clock yesterday morning. The case had been in the hands of the jury since 9 o'clock Saturday night.

The jury first reported at 9 o'clock yesterday morning, informing the court that it could not agree upon a verdict. The court sent the jurors back to the jury room to make another attempt to get together. At the end of another two hours the jurors were hopelessly divided and the court allowed them to give up the attempt. The jurors stood eleven to one in favor of the city. It was understood the vote was the same from the first session Saturday night until the last, taken shortly before noon yesterday morning.

The case was begun by Thomas M. Dorris, as administrator of the estate of his son, Steven, who was killed when the Higgins fire engine plunged through the fence at his home, 711 South Edith street, nearly a year ago. Dorris asked judgment for \$50,000.

TRIAL LASTS FIVE DAYS.

The trial began last Tuesday. The taking of evidence consumed four days. The plaintiff contended his strength in attempting to prove that the city was negligent in permitting a stampede which struck a shop directly south of the Dorris home, to break, causing a muddy spot in the street. The plaintiff's contention was that the fire engine skidded on ice caused by the mud. The plaintiff charged that the street was not safe for ordinary travel.

The defense maintained the city had used reasonable care to keep Edith street in the 700 block, in adequate condition for ordinary travel, that the city had repaired the leaky sidewalk on November 16, three days before the accident, and that on the day of the accident the alleged defect in the street had practically disappeared.

That night, the driver of the truck on the night of the accident had failed to use due care in driving the truck. The defense contended that the plaintiff had not proved by preponderance of evidence that the street was unsafe for ordinary travel, and that in the absence of this proof the defendant city was not liable under the law to respond in damages.

ARGUE FOR FOUR DAYS.

The case was hard fought from start to finish. The first four days of the trial were devoted to the introduction of testimony and the entire fifth day, Saturday, was consumed by the arguments of counsel. The court adjourned four hours for arguments.

The opening address on behalf of the plaintiff was made by Henry G. Coors Jr., of Burkhardt & Co., who was followed by City Attorney W. A. Kelleher, who spoke for an hour, indicating the attitude of the city in the case and summing up the evidence presented by both sides. Mr. Kelleher was followed by W. C. Held, of Held & Heffey, who spoke for an hour, analyzing the law and the facts in the case and dwelling upon what it would be necessary to prove in order to establish the liability of the city. The appearance of Mr. Held in this case was his first regular practice since his coming to Albuquerque more than a year ago when he became solicitor in New Mexico for the Santa Fe rail road.

It is understood that he received \$1000 for his services. Mr. Held, who was at one time attorney general in New Mexico, will devote a part of his time to private practice. The closing argument for the defense in the Dorris case was made by John F. Simms, who has prepared the pleadings and acted as other counsel for the administration. Mr. Simms spoke something over an hour and made very impressive arguments. Judge W. C. Heffey, of Heffey and Cornett, was associated in the case as consulting counsel for the plaintiff and participated in the trial with Mr. Simms and Mr. Coors.

Jury Moved to Mirth

Although the trial was a serious matter because of the fact that constant reference was made to the death of the Dorris child, the jury was at times provoked to mirth by testimony of some of the witnesses. Attorney Kyle Timley, one of the witnesses for the defense, testified that he arrived at the scene of the accident at 7:30 half an hour before it occurred and that the machine crashed into the Dorris house, the cross-examination Mr. Timley corrected his statements, saying that he arrived at the scene at 6:30 and that the machine when he saw it was in the yard. Mrs. Mary Tierney, another witness, testified that he repaired Edith street for traffic and top-dressed it with sand in the year 1909. Judge Bayfield, uniformly avowing the former street conditions if he could not fix the date about 1913. He did.

A mass of testimony of conflicting nature was introduced during the trial, the chief point being that the truck stalled when it struck the alleged muddy spot under the stampede and likewise to show that the machine did not stop. Driver Held in his testimony did not stop. Driver Held said as soon as struck the muddy spot he let the machine reverse or skid toward the fence of the Dorris home, that he at once applied the footbrake with all his strength, threw out the clutch which disconnected the engine and crumpled his wheels to the left. Despite this, Held said that the car went into the fence.

ATOPIX REPORTS ON STAND.

The defense introduced a map made by former City Engineer Hutchinson, showing that the distance between the engine and the center of the gate of the Dorris home, at which the boy was standing, when he was struck by the engine was 12 feet and introduced expert testimony as an effort to show that it was a physical impossibility for the automobile to skid any great distance under the conditions alleged to exist as outlined by Held in his testimony.

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NO RAISE IN PRICES

During the week at the Majestic Cafe, 221 South First street, opposite depot, serve regular dinner for 25 cents from 11 a. m. to 8 p. m. Snack meals, when we're so inclined. Open now a. m. to 12 p. m. midnight.

LODGES SELECT FAIR WEEK FOR STATE MEETINGS

Odd Fellows, Rebekahs and Knights of Pythias to Be in Session; Cattlemen and Retailers to Meet.

The Best Musical Attraction of the Year

THE KILLARNEYS WITH RITA RICH

AT CRYSTAL THEATER TONIGHT

Any Seat in the House 50c

Hear them. They will make you laugh at their Irish merriment and cry at their Irish pathos.

REMEMBER! CRYSTAL THEATER
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217 WEST CENTRAL

Meals served at all hours. Short orders promptly filled. Clean place, and we give the best of service. Come and try our new cook. NO RAISE IN PRICES.

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Phone 882. Manager.

THREE GODFATHERS
AT LYRIC THEATER
FOR TODAY ONLY

From Peter B. Kyne's great story "The Three Godfathers" that appeared in the Saturday Evening Post and was promoted by the editor as the best story the Post has ever printed. Bluebird Photoplay has made a splendid feature and it will appear at the Lyric Theater today and E. J. Le Salet directed the production, using a scenario by Harry Gates.

Three band robbers escaping from a pursuing sheriff's posse find a cabin in the teeth of a prairie storm. Inside is an abandoned "prairie schooner" left alone by her husband, who has wandered afar in search of the team of horses, and has perished in a blinding sandstorm. The hardy bandits each pledge themselves to the mother, before she dies, that they will bear no lousy boy in the paths of retribution.

Five miles from the nearest habitation, the sandstorm still rages, and with only the appliances at hand to be expected in an outfit arranged for overland travel, the three bandits find a problem in that would stagger almost anybody. How they keep the breath of life in the new-born baby, and constitutes the most effective picture story of recent development.

There is great human interest in the touching scenes. As the story advances the trials of the triplet of bandits are seen to sacrifice their lives in the ultimately successful effort to transport the babe to a place where it can be properly nurtured and cared for. It is the unusual devotion of these rugged men to helpless babe that brings out the touch of human interest that will make "The Three Godfathers" have strong appeal with every type and class of film fan.

JUST THINK
This \$10
Auto Robe for \$6.75

As Long As They Last

Hauser's Saddlery

112 W. Copper
Phone 406

DEATHS AND FUNERALS

Jose A. Candelaria,

Jose Armelundo Candelaria, 13 years old, son of Mr. and Mrs. Joaquin Candelaria, died Saturday morning at the home of his parents, north of the city, from typhoid fever. Funeral services will be held at 9 o'clock this morning at Fred Cruller's chapel. Burial will be in Santa Barbara cemetery.

COULD NOT DO HER COOKING.

Mrs. F. E. Hartmeier, Tea, Mo., writes: "I was affected with kidney trouble in 1912. It was so bad this summer I could not do my cooking. I get Foley Kidney Pills and they help me. I feel like a new person."

Too many women neglect symptoms of kidney derangement. When the kidneys are not properly doing their work persons left in the system cause weak back, dizziness, faintness under eyes, swollen ankles and rheumatism. Sold everywhere.

MISSING

Royal Typewriter No. 16132549. This machine was rented to the late R. W. Wiley and never located after his death. Any information please phone Commercial club.

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Signs, Banners, Transparencies, Illustrations, Done in Artistic, Practical Manner by HERBERT, 201 Lewis Ave. Phone 1495.

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FOR SALE

Cheerful, comfortable dining room set. Afternoons at 75½ West Cooper.

Bring us that valuable picture which is beginning to fade, we will copy it to your exact satisfaction and return the original.

Official photographer to the New Mexico State Fair.

333½ W. Central. Phone 922.

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"TELMO"

CANNED GOODS AND YOU HAVE THE BEST

125½ W. Cooper

For canning; 50 pounds of carefully selected tomatoes for \$1.00.

110 GRANDE INDUSTRIAL

SCHOOL

Phone 240644

Have you seen Billie?

Attacks of Indigestion

"I believe Chamberlain's Tablets have saved my life," writes Mrs. Maggie Coll Golden City, Mo. "I had pains in my stomach so bad I thought I could not live. Our doctor said it was congestion of the stomach. I would gobble perfectly well and wake up in the night as bad as I could be and live. Our doctor said the tablets would give me relief internally. He had to inject medicine in my arm. Since taking Chamberlain's Tablets I can eat anything I want without hurting me." This form of indigestion is extremely painful and often dangerous. By taking Chamberlain's Tablets after eating and especially when you have taken cold and weight in the stomach after eating the disease may be avoided and Chamberlain's Tablets not only relieve indigestion but strengthen and inscribe the stomach.

WE SOLICIT YOUR PATRONAGE

FREE AIR — FREE WATER — PROMPT ATTENTION.